

DMP:JEA
F. #2018R01884

FILED 4/1/2022

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

MASON JAMES,
also known as "Noxshuz,"

Defendant.

----- X

THE GRAND JURY CHARGES:

I N D I C T M E N T

1:22-cr-00148 (DLI)(CLP)

Cr. No. _____
(T. 18, U.S.C., §§ 981(a)(1)(C),
982(a)(2), 982(b)(1), 1030(a)(4),
1030(b), 1030(c)(3)(A), 1030(i)(1),
1030(i)(2), 1349, 2 and 3551 et seq.;
T. 21, U.S.C., § 853(p); T. 28, U.S.C.,
§ 2461(c))

INTRODUCTION

At all times relevant to this Indictment, unless otherwise indicated:

1. The defendant MASON JAMES, also known as "Noxshuz," was a citizen of the United States.
2. Between April 2019 and November 2019, the defendant MASON JAMES and his co-conspirators gained unauthorized access to the cryptocurrency accounts of Individual-1, an individual whose identity is known to the Grand Jury, and stole more than \$300,000 worth of Bitcoin from Individual-1. JAMES and his co-conspirators exploited this unauthorized access to Individual-1's cryptocurrency accounts and wired a percentage of the proceeds from Individual-1's cryptocurrency accounts to accounts controlled by JAMES and his co-conspirators.

COUNT ONE

(Conspiracy to Commit Wire Fraud)

3. The allegations contained in paragraphs one and two are realleged and incorporated as if fully set forth in this paragraph.

4. In or about and between April 2019 and November 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MASON JAMES, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud Individual-1, and to obtain money and property from Individual-1 by means of one or more materially false and fraudulent pretenses, representations and promises, and for the purpose of executing such scheme and artifice, to transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures and sounds, contrary to Title 18, United States Code, Section 1343.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

COUNT TWO

(Computer Intrusions)

5. The allegations contained in paragraphs one and two are realleged and incorporated as if fully set forth in this paragraph.

6. In or about and between April 2019 and June 2019, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant MASON JAMES, together with others, did knowingly and with intent to defraud, access without authorization one or more protected computers, and by means of such conduct

did further the intended fraud and obtain something of value, to wit: cryptocurrency and United States currency.

(Title 18, United States Code, Sections 1030(a)(4), 1030(b), 1030(c)(3)(A), 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT ONE

7. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count One, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offense to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense.

8. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p),

to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

CRIMINAL FORFEITURE ALLEGATION
AS TO COUNT TWO

9. The United States hereby gives notice to the defendant that, upon his conviction of the offense charged in Count Two, the government will seek forfeiture in accordance with Title 18, United States Code, Sections 982(a)(2)(B) and 1030(i)(1), which require any person convicted of such offense to forfeit any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such offense, and such person's interest in any personal property that was used, or intended to be used, to commit or to facilitate the commission of such offense.

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

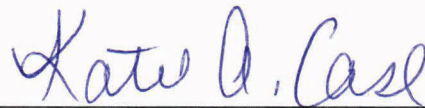
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Sections 982(b)(1) and 1030(i)(2), to seek

forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 982(a)(2), 982(b)(1), 1030(i)(1) and 1030(i)(2); Title 21, United States Code, Section 853(p))

A TRUE BILL



FOREPERSON



BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F.#. 2018R01884
FORM DBD-34
JUN. 85

No.

UNITED STATES DISTRICT COURT

EASTERN District of NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

MASON JAMES, also known as "Noxshuz,"

Defendant.

INDICTMENT

T. 18, U.S.C., §§ 981(a)(1)(C), 982(a)(2), 982(b)(1), 1030(a)(4),
1030(b), 1030(c)(3)(A), 1030(i)(1), 1030(i)(2), 1349, 2 and 3551 et
seq.; T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.

Kato Bless
Foreperson

Filed in open court this _____ day,

of _____ A.D. 20 _____

Clerk

Bail, \$ _____

Jonathan Algor, Assistant U.S. Attorney (718) 254-6248